

REMARKS

Claims 9-12 and 17-20 are pending. By this Amendment, claims 9-12 are amended, claims 17-20 are added, and claims 1-8 and 13-16 are cancelled without prejudice to or disclaimer of the subject matter contained therein. Claims 9-12, which the Office Action indicated contained allowable subject matter, have been rewritten in independent form. Newly-added claims 17-20 are supported by the original specification and claims. With respect to the "condition determining unit" of independent claim 17, see, for example, page 11, lines 13-24. The specification supports claims 18 and 19 at, for example, page 9, lines 15-19. The specification supports claim 20 at, for example, page 13, lines 10-23. Thus, no new matter is added by the above amendments.

The Examiner is requested to consider the references submitted with the attached Information Disclosure Statement. These references correspond to the two references identified in the specification, and referenced in item 3 (pages 2-3) of the Office Action.

The Office Action objected to the Abstract and the title. By this Amendment, the Abstract and title have been amended to overcome the objection.

Applicant notes with appreciation the identification of allowable subject matter in claims 9-12. As mentioned above, claims 9-12 have been rewritten in independent form, and thus are allowable.

Claims 1-8 and 13-16 stand rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,852,467 to Ogino. This rejection is moot.

Newly-added independent claim 17, as well as its dependent claims, are patentable over Ogino. For example, Ogino does not disclose or suggest the claim 17 condition determining unit that judges whether information of a right condition is recorded in the recording medium by communicating with the recording medium, and that then determines a condition for performing a recording operation with the recording medium when the right

condition is determined to be recorded in the recording medium. Thus, if a recording medium is used that does not have a right condition recorded on it, the device of claim 17 is capable of determining that there is no right condition recorded in the recording medium. Ogino does not disclose or suggest such a device. As described at col. 8, lines 1-4, Ogino apparently is capable of determining the type of external storage device 11a. However, Ogino does not disclose or suggest determining whether a right condition is stored in the external storage device 11a.

Accordingly, independent claim 17 and its dependent claims are patentable over Ogino.

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



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MAC/ccs

Attachments:

Petition for Extension of Time
Information Disclosure Statement
Amendment Transmittal

Date: April 4, 2005

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